

5/049/039 0003

From: Lynn Kunzler
To: bhstonesupply@yahoo.com
Date: 3/3/03 2:06PM
Subject: Emma Park Quarry

Just a reminder - You were to respond to the Division's letter of February 3, 2003 by Friday, February 28, 2003. We have not seen anything or heard from you. If you don't reply by Wednesday March 5, 2003, we will have to initiate enforcement proceedings.

From the February 3rd letter:

Mitigation:

Within 14 days of receipt of this letter, submit the information requested in the Division's December 9, 2002 letter (copy attached), which described the deficiencies of the Notice of Intention to Commence Small Mining Operations that was filed with the Division on December 6, 2002. This includes remitting the appropriate permit fee of \$150.00 for a small mine.

Consequences of Continued Non-Compliance

1. The operator's failure to resolve this Notice of Non-compliance within the timeframes set forth in this letter (unless otherwise extended) will result in the filing of an informal hearing before the Division Director, or a formal Notice of Agency Action before the Board of Oil, Gas and Mining. Following public notice and hearing, the Director or the Board may issue an abatement or compliance Order which may require: suspension or termination of all mining operations, immediate reclamation of all mining-related disturbances, and/or other lawful requirements as authorized under the Act.

CC: Wayne Hedberg